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FILED
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1958

No. 64

PERMIAN BASIN PIPELINE COMPANY,
a Corporation,
Appellant,

v.

RAILROAD COMMISSION OF TEXAS
and
THE ATLANTIC REFINING COMPANY,
a Corporation,
Appellees.

On Appeal From the Court of Civil Appeals for the Third Supreme Judicial District of Texas, at Austin

APPELLEES' MOTION TO DISMISS OR TO AFFIRM

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Appellees move the Court for entry of an order dismissing the appeal or affirming the judgment below because no federal question of substance is presented. The only question presented, not a federal question, is whether the production of gas from a Texas gas field is to be prorated by the State of Texas or by an interstate carrier of natural gas. The challenged statute and orders are concerned

only with the ratable production of gas and not at all with the price at which it is sold. (R. 26-32; Jurisdictional Statement, Appendix E.)

Accompanying this motion is a supporting brief.

WHEREFORE, appellees pray that the appeal be dismissed or, in the alternative, that the judgment below be affirmed.

Respectfully submitted,

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